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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of:)

Telephone Number Portability)

CC Docket No. 95-116

**ADDITIONAL COMMENTS OF
THE PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION**

The Personal Communications Industry Association ("PCIA"), by its attorneys, respectfully submits these additional comments regarding the effect of the Telecommunications Act of 1996 ("Act") on the Commission's ongoing number portability proceeding.¹ As discussed herein, the Act does not require the Commission to impose interim number portability requirements on CMRS providers, and the Commission should not do so.

The Act defines "number portability" as "the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another."² Importantly, although this definition references "telecommunications services," a category that includes CMRS, the obligation to provide number portability is imposed only on local exchange carriers³ -- a category that

¹ Further comments on this matter were solicited by Public Notice, DA 96-358 (released March 14, 1996).

² Section 3(a)(46).

³ Section 251(b)(2).

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presumptively does not include CMRS.⁴ As a result, the Commission has the discretion to impose number portability requirements on CMRS providers, but is not compelled to do so.

In its pleadings and ex parte presentations in this docket, PCIA has supported inclusion of broadband CMRS in any long-term number portability requirement, while expressing reservations about whether long-term portability should encompass narrowband CMRS and SMR services. With respect to both categories of providers, however, PCIA has demonstrated that the costs of complying with an interim number portability requirement would clearly outweigh any conceivable benefits.⁵ In general, as those filings detail, the network upgrades that would be required for CMRS providers to comply with a remote call forwarding or expanded direct inward dialing approach to interim portability would be prohibitively expensive and would be rendered obsolete as soon as a long-term solution is

⁴ The definition of "local exchange carrier" expressly excludes "a person insofar as such person is engaged in the provisions of a commercial mobile service under section 332(c), except to the extent that the Commission finds that such service should be included in the definition of such term." Section 3(a)(44).


⁵ See, Comments of PCIA, CC Docket No. 95-116, filed Sept. 12, 1995; Reply Comments of PCIA, CC Docket No. 95-116, filed Oct. 12, 1995; Letter from Mark J. Golden to William F. Caton, CC Docket No. 95-116, filed March 12, 1996; Letter from Mark J. Golden to William F. Caton, CC Docket No. 95-116, filed March 28, 1996 (focusing on narrowband issues).

implemented. PCIA accordingly urges the Commission not to include broadband and narrowband CMRS providers in any interim number portability requirement.

Respectfully submitted,

**PERSONAL COMMUNICATIONS INDUSTRY
ASSOCIATION**

**PERSONAL COMMUNICATIONS
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March 29, 1996

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of March, 1996, I caused a copy of the foregoing "Additional Comments Of The Personal Communications Industry Association" to be hand-delivered to the following:


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